



## **CHILD ABUSE AND PREVENTION TREATMENT ACT (CAPTA)**

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*Questions may be directed to the Office of Child Abuse Prevention (OCAP) at (916) 651-6960.*

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## **CHILD ABUSE PREVENTION AND TREATMENT ACT**

### **I. Purpose**

The Child Abuse and Prevention Treatment Act (CAPTA), originally enacted in 1974 (P.L. 93-247), was most recently amended and reauthorized by the Keeping Children and Families Safe Act of 2003 (P.L. 108-36). The Act consists of two parts: Title 1, General Program, and Title 2, the Community-Based Child Prevention Program (CBCAP). The purpose of the CAPTA Title 1 General Program is to:

- Support states for improving the child protective services' systems through its basic state grant
- Support child abuse prevention activities by funding discretionary grants to states and/or public or private agencies or organizations (or combinations of such agencies and organizations)
- Support innovation by funding research and demonstration project grants for preventing child maltreatment with corresponding evaluation, technical assistance, training, and data collection activities
- Support the national Office on Child Abuse and Neglect and the National Clearinghouse on Child Abuse and Neglect

CAPTA also sets forth a minimum definition of child abuse and neglect as follows:

- Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation
- An act or failure to act which presents an imminent risk of serious harm

### **II. Funding**

#### **Funds to States**

Funding from CAPTA Title 1 to the states is a basic state grant. The amount of the grant is determined by the ratio of children under the age of 18 in the State to the national total number of children. For California, the annual grant has been averaging around \$3 million, and has been decreasing over the past three years.

Funding from CAPTA is being used by the State to fund improvements statewide in areas such as improving risk and safety assessments; in assessing families' needs for services; and to strengthen linkages between child welfare services, public health, mental health, and developmental disabilities agencies to screen children ages 0-5 years who have come to the attention of child protective services and are in need of early intervention services. Funds are also being used to enhance the capacity of family resource centers and family support programs to provide services to strengthen families, including those referred through Differential Response. CAPTA funds are also used for the training of professionals, foster and adoptive

parents on assessment and developmental interventions for high-risk, medically fragile newborns. An intervention, along with an evaluation, intended to improve the quality and level of positive father involvement in at-risk families is also being funded using CAPTA funds.

No more than ten (10) percent of the funds may be used for administrative costs.

### **III. Program Features**

The 2003 legislation supports states' efforts for:

- Addressing the needs of infants born and identified as being affected by prenatal drug exposure by enhancing linkages between child protective service agencies and public health, mental health and developmental disabilities agencies
- Referring children under age 3 involved in a substantiated case of child abuse or neglect to early intervention services funded under part C of the Individuals with Disabilities Education Act
- Addressing the training of CPS workers and guardian ad litem to protect the legal rights and safety of children and families
- Disclosing confidential information to any Federal, State, or local government entity with a need for such information
- Checking criminal background records for all adults residing in prospective foster and adoptive households

### **IV. Target Population**

All children are eligible for the services that are funded by the Act.

### **V. Program Oversight**

The California Department of Social Services (CDSS) has been designated by the Governor as the single state agency to administer and oversee the provisions of CAPTA in California.

The Office of Child Abuse Prevention (OCAP), an office within the CDSS, has the responsibility for oversight of CAPTA. The OCAP determines distribution of the basic state grant in accordance with the Act's requirements. The OCAP is required to submit an application for funding each year and to report annually regarding activity from the previous year as part of California's Title IV-B Annual Progress and Services Report.

The OCAP provides training and technical assistance through its consultants and departmental resources, as well as its training and technical assistance contracts.

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The OCAP fulfills the state data reporting requirements. It also provides the assurances, in the form of a certification of the chief state executive officer, that state law contains the provisions of the Act and are being enforced.

## **VI. References**

The 2003 version of CAPTA can be viewed at:

[www.acf.hhs.gov/programs/cb/laws\\_policies/cblaws/capta03/index.htm](http://www.acf.hhs.gov/programs/cb/laws_policies/cblaws/capta03/index.htm)

[42 U.S.C. 5101 et seq.](#); [42 U.S.C. 5116 et seq.](#)

Administration for Children and Families Regulations: [45 CFR 1340](#)

[All County Letter 06-54](#)